

April 9, 2003

## **PUBLIC NOTICE**

The U.S. Government intends to transfer the 32 acres of real property at the Tarheel Army Missile Plant (TAMP), in Burlington, North Carolina. The property will be made available for public sale by the General Services Administration prior to the completion of all remedial action. The Army and the North Carolina Department of Environmental and Natural Resources (DENR) are seeking public comments on a TAMP Finding of Suitability for Early Transfer (FOSET) and a Consent Agreement outlining the additional remediation to be conducted by the Army at TAMP. All public comments must be submitted within 30 days of this notice.

TAMP is located at 204 Graham-Hopedale Road in Burlington, North Carolina. It was leased to various defense contractors who performed tank rebuilding operations, manufacturing of commercial electronic devices, and other defense-related work from 1942 to 1992. Environmental remediation is ongoing at TAMP, but such activities are not expected to be completed prior to the transfer of the TAMP property. Under federal law, the Army may transfer TAMP prior to the completion of remediation activities if the Governor of North Carolina determines, among other facts, that: the property is suitable for transfer; the intended use is consistent with the protection of human health and the environment; adequate assurance exists that all necessary response actions will be taken; and the required response actions will not be substantially delayed or disrupted. The specific statutory requirements are set forth in Section 120(h)(3)(C) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This process is commonly referred to as the "CERCLA Early Transfer" process.

The Army and DENR are seeking public and regulatory comments on a Finding Of Suitability For Early Transfer (FOSET). The FOSET was prepared to provide the Governor of North Carolina the necessary information to make a determination regarding the transfer of TAMP prior to completion of all remedial actions. The FOSET summarizes the environmental conditions at TAMP and identifies restrictions and controls to allow the property to be transferred without causing an unacceptable risk to human health and the environment, and without interfering with the ongoing TAMP environmental remedial activities.

The Army and DENR are seeking public and regulatory comments on a proposed Consent Agreement as required by Section 130A-310.4 of the North Carolina General Statutes. The Army and DENR negotiated this proposed Consent Agreement to outline the additional TAMP remediation activities to be conducted by the Army and to provide the assurances that all necessary response actions will be taken as required by the CERCLA Early Transfer process. The Consent Agreement will be an enclosure to the TAMP FOSET.

The FOSET and Consent Agreement may be viewed at <http://propertydisposal.gsa.gov/mip/>. Copies of the FOSET, Consent Agreement and other TAMP environmental documentation may also be viewed at the May Memorial Library in Burlington, NC. Those and other TAMP environment-related documents may be viewed, and copied at cost, by contacting the Custodian of Records of DENR's Superfund Section, Mr. Scott Ross, at 401 Oberlin Road, Suite 150, Raleigh, NC 27605-1350, at (919) 733-2801 ext. 328, or at [Scott.Ross@ncmail.net](mailto:Scott.Ross@ncmail.net).

To be considered, all public comments on the Consent Agreement and/or FOSET must be mailed no later than 30 days from the date of this public notice to:

Mr. Nile Testerman  
North Carolina Superfund Section  
401 Oberlin Road, Suite 150  
Raleigh, NC 27605-1350

Comments may also be submitted by email to [Nile.Testerman@ncmail.net](mailto:Nile.Testerman@ncmail.net).  
Mr. Testerman will provide a copy of all public comments to the Army.